

Court Gets Plea To Allow Women To Act as Jurors

Kings County Commissioner Willing, but Law Founded on Old Statutes Proves Barrier to New Voters

"I'd be glad to see women on the jury, but how can it be done legally? I wish the lady would show me."

This was the answer of Jacob Brenner, Commissioner of Jurors of Kings County, to the plea of Miss Julia V. Grillo, a lawyer, that women be permitted to sit on juries. The matter came before Justice Lazansky in the Supreme Court in Brooklyn yesterday, when Miss Grillo asked the court to grant a writ of mandamus to compel Commissioner Brenner to include women when making up the jury lists.

Miss Grillo came to court armed with a fifty page brief, which she said she wished to submit in her case. "I would much prefer that you argue this before me," said Justice Lazansky. "I will, of course, read the brief, but I should like to hear you state your arguments personally."

Miss Grillo demurred, however, and the brief was submitted. Assistant Corporation Counsel Probaco, appearing for the Commissioner of Jurors, asked permission to file a brief on Friday, and then the case was adjourned.

Hitch Found in Law
The City of Miss Grillo and Commissioner Brenner to agree comes about because of an inconvenient little word in the state law, which says the jury lists shall be made up of "male" citizens.

"There is the law. What can we do about it?" That was what the Commissioner wanted to know yesterday afternoon when asked for his views. "If we should appoint women on the juries, and then find out that we had no legal right to do so, it would invalidate every verdict they had returned. We must be sure we are right before we go ahead."

"You see this matter of juries goes back to King John and the common law of England. The old law states men must be tried by a jury of their peers. Those old fellows didn't know as much as we do now, of course, and so they interpreted 'peers' as meaning men."

"Personally, I should be glad to see women on juries, provided they served willingly, and the conditions could be made suitable for them. You couldn't have a jury of mothers locked up all day when there was nobody at home to get the children's dinners. Old maid? They are not persons of experience, are they?"

Women Must Settle Dispute
"What ever they settle among themselves as the proper circumstances to govern selection of women jurors will be satisfactory to me. Last year I was willing to help them with their bill in Albany, but they wouldn't do it to eliminate the word 'male,' but they could not agree among themselves."

Miss Grillo said last night she believed the right to serve on juries was a fundamental one, inherent in the right to vote, and the present wording of the law was unconstitutional, and should be disregarded.

First women were not in the past admitted as jurors was not due to their sex," she said, "but to the belief that they were not intellectually competent to exercise political duty. The objection has to do with women's state and condition of mind wholly. The right to vote has always preceded the right and duty to serve as a juror, which obligation has always followed as an incident to the right to vote. The right to vote has always followed the recognition of a certain amount of intelligence, or the accumulation of property by an individual, which has always been taken as an indication of intelligence."

To Honor Frick's Memory
Trustees of American Academy in Rome to Pass Resolutions

At the annual meeting of the board of trustees of the American Academy in Rome yesterday it was announced that a committee will be appointed to draw up resolutions on the deaths of Henry C. Frick, who was a member of the board, and Henry L. Higginson, of Boston, a charter member.

W. R. Mead, president of the academy, announced that the endowment of \$25,000 for the Carter Memorial Fellowship has been secured. The fellowship is to promote the study and practice of fine arts and to aid in the education and training of architects, painters and sculptors.

Daniel C. French, Edwin H. Blashfield, C. Grant L. Faxon, William Rutherford Mead and Edward P. Mellon were re-elected members of the board. Charles A. Platt and Edgar I. Williams were the new members elected. Horace A. McNeill, sculptor, was appointed professor in the School of Fine Arts in Rome.

More A. E. F. Casualties
WASHINGTON, Dec. 9.—The following casualties in the American Expeditionary Forces prior to November 11, 1918, have been discovered in a re-search of the records: Killed in action, 2; wounded severely, 1; total, 3.

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Fox Urges Milk Sales From "Rolling Stores"

Vice-President of Borden's Asks O'Malley's Aid to Reduce Price to Undernourished Children

Patrick D. Fox, vice-president of the Borden's Farm Products Company, in a letter sent yesterday to Markets Commissioner E. J. O'Malley, suggested a conference to formulate a plan for the sale of milk from "rolling stores." These stores, Mr. Fox pointed out, could be operated at a minimum cost through the districts which have been shown to contain a large proportion of undernourished children.

Mr. Fox suggested that the wagons be sent through the neighborhoods where the children reside who attend the thirty schools mentioned by Dr. Royal S. Copeland in a recent report. Mr. Fox said that Mr. O'Malley had the power to aid in obtaining a license for trucks and also the influence to recruit volunteer workers. The milk could be sold from the wagons at several cents below the price asked for delivered milk, Mr. Fox wrote.

We realize the antipathy of retail dealers toward rolling stores, but we feel that it is essential to give those who really need it cheaper milk," Mr. Fox wrote. "We would really find it impossible to reduce the price of milk delivered through the old channels. Perhaps when a regulated monopoly is permitted, something can be done to alter the present system, eliminating the costly duplication and installing methods."

Lippincott's Daughter Kills Child, Shoots Self

Mrs. Emily R. Powell Writes Note Before Attempting to End Life

DENVER, Col., Dec. 9.—Mrs. Emily R. Powell, forty years old, daughter of Horace G. Lippincott, of Wyn-cote, Pa., socially prominent, shot and killed her 12-year old daughter Jacqueline as the child lay asleep. Mrs. Powell then shot herself. She was taken to a hospital, where it was said her condition was dangerous. Mrs. Powell had been separated from her husband. Other occupants of the apartment house where she lived said she had been acting strangely.

Mrs. Powell left a note saying: "I wish before I died I might have known what has always been wrong with my life—the more I loved people the more I always hurt them."

Admiral Hilary P. Jones, U. S. N., is said to be related to Mrs. Powell.

PHILADELPHIA, Dec. 9.—Emily Lippincott went to Denver in her health. While there she met and secretly married in 1906 Edwin S. Powell, said to be a newspaperman. Three years later they were divorced.

Bees the daughter there is a younger son.

SAN FRANCISCO, Dec. 9.—Edwin S. Powell, former husband of Mrs. Emily R. Powell, who shot and killed her twelve-year old daughter in Denver and then shot and dangerously wounded herself, is an employee of a sporting goods store here. He could give no reason for Mrs. Powell's act.

"I divorced Mrs. Powell eleven years ago in Denver," he said. "The first I heard concerning her since the divorce was early to-day, when my neighbor told me she had shot the little girl and herself."

Won't Divulge Information
Prosecutor as Witness Declines to Answer Questions

Alfred J. Talley, Assistant District Attorney, called to a news conference yesterday in the Supreme Court suit of Mrs. Victoria A. McKenzie against Richard H. Lane, convicted of swindling her out of more than \$80,000, declined to answer questions regarding information that Lane had given him about bond thefts.

Lane has been credited with giving to the District Attorney the information on which one arrest has already been made, and others are expected of men connected with the recent large thefts of bonds. Asked about Lane's knowledge and information on this subject, Mr. Talley refused to answer the questions of Lane's attorney. The attorney then asked the members of the jury how many had heard of Lane's offer to give information to the District Attorney about the stolen bonds. Several jurymen admitted having read about it, whereupon the defendant's attorney moved for a mistrial of the suit, which was denied.

American Relief Society Fed 6,000,000 in Day, Says Hoover

Herbert C. Hoover last night addressed a meeting of the National Child Welfare Association in the home of Judge William H. Vadham, at 48 East Twenty-eighth Street. He said the peak of the American Relief Society's operations in child welfare in Europe was reached after the armistice, when 6,000,000 children were fed in a single day.

He declared undernourishment in this country was practically confined to congested areas in the big cities, and to a large extent was due to ignorance on the part of parents.

Newberry to Open Fight To-morrow To Win Acquittal

First Move To Be for List of Witnesses Before Grand Jury Against Michigan Senator and 134 Others

Special Correspondence
GRAND RAPIDS, Mich., Dec. 9.—The battle to acquit United States Senator Truman H. Newberry and 134 others charged with conspiracy in connection with the Senatorial campaign of 1918 is scheduled for next Thursday, when counsel will move for a complete list of witnesses who testified in the recent grand jury inquiry. The motion will be argued next Monday. It will be opposed on the ground that all grand jury testimony is secret.

Six months may be required for the list. With 135 defendants, the attorney or attorneys for each will have his own line of interrogation for prospective jurors. Every prospective juror may be questioned with regard to his acquaintance with each of the 135 defendants or with their attorneys. Counsel for any one of the 135 defendants will have a right to cross-examine any witness called by the government. The government had more than 400 witnesses before the grand jury.

The law also requires that in a trial a man shall be confronted with the witnesses against him. When a defendant is ill or disabled during a trial the trial is halted. The serious illness of any one of these 135 defendants would halt the case. The serious illness of any attorney would be an argument for halting the case. Thus the case promises a long court suit.

WASHINGTON, Dec. 9.—The Senate investigation of the Newberry-Ford election will be delayed after the Federal courts in Michigan have acted on the indictments recently returned against Senator Newberry and 134 others. It was announced to-day by Senator Dillingham, of Vermont, chairman of the Senate Committee on Privileges and Elections.

"The committee will meet as soon as possible," said Senator Dillingham. Henry Ford asked the committee three times to postpone action in the investigation of the primary campaign in Michigan last session, and should Senator Newberry request a postponement because of his forced appearance in the Michigan courts the committee probably will grant it.

Court Says Outsiders Influenced Grand Jury

Stating in open court that the last grand jury in Jersey City had been influenced by outside agencies in consideration of complaints that the Hoboken City commissioners had been guilty of padding the municipal pay roll and an offense against the election laws, Justice F. A. Swayne yesterday charged the December grand jury and expressed a wish that they prove themselves free from such advances.

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"That was their right," he said. "But that grand jury was approached directly and indirectly. One of the jurors was approached by an official who told him a contract had been awarded to him, and spoke of the fact that the doings of the grand jury were known outside the grand jury room."

"It is not for me now to say what the official meant, but I think it would not take a very shrewd guess."

Thomas H. Williams, a manufacturer, of Bentley Avenue, Jersey City, was named foreman.

Three Arrests Made in \$30,000 Silk Robbery

Thirty Members of Cosmo Club Held Up in Clubrooms by Bandits

Three men, believed to know something about the recent series of silk robberies, were arrested yesterday by Inspector John J. Gray at Second Avenue and Sixteenth Street. They are Morris Seroff, of 256 West Forty-fifth Street; Samuel Miller, of 405 Lafayette Street; and a third man whose name the police refuse to divulge.

They are charged specially with participation in the removal of \$30,000 worth of silks from the establishment of E. & J. Weinberg, 43 West Twenty-fourth Street, August 18. The man whose name was withheld is said by Inspector Gray to be an electrician formerly employed by a burglar alarm concern. His knowledge of the devices is said to have been used in forcing entrances. Miller had been employed by the Princess Waist Company, 22 West Twenty-second Street, up to September 30. Four days after he left the place was robbed of \$20,000 worth of material. A bank book was found at Seroff's home showing he had deposited \$800 four days after the robbery of the Weinberg place.

Two bandits held up thirty members of the Cosmo Club in the basement of their quarters at 233 East Broadway yesterday morning and robbed them

of \$100 worth of jewelry. The thieves escaped.

Police officials at headquarters declined to make any comment on the figures given out by the Silk Association of America on the great losses suffered by silk dealers within the last three months.

Plot to Rule British By Soviet Revealed

Funds to Aid Overthrow of Government Brought From Abroad, Says Unionist

LONDON, Dec. 9.—John L. Baird, Unionist member of Parliament from Warwickshire, announced in the chamber to-day on behalf of the Home Secretary that the government was aware that certain persons, some of them of foreign origin, were carrying on revolutionary propaganda with the object of abolishing parliamentary government and substituting the soviet system in Russia.

Mr. Baird added that it was known money had been brought from abroad for this purpose and Britons also had subscribed to the fund.

Boy Gets \$13,250 for Arm

Supreme Court Justice Fawcett in Long Island City yesterday approved a settlement for \$13,250 of the \$50,000 damage suit instituted in behalf of fourteen-year-old John J. O'Brien Jr., of 648 Tenth Avenue, against the Aaron Buchsbaum Company, meat dealers, of Fifteenth Street and Ninth Avenue. While employed as an assistant to the driver of one of the concern's trucks the boy was injured in a runaway and his arm had to be amputated.

The boy's lawyers receive \$3,312.50, and the remaining \$9,937.50, by the court's order, is to be paid over to him. An additional sum of \$3,250 was paid by the company to the boy's father.

Baff's Slayers Reprieved

Joseph Cohen and Frank Ferrara, murderers of Barnett Baff, whose executions had been set for to-morrow night at Sing Sing, received a new lease of life yesterday when Governor Smith ordered the double electrocution postponed until the last minute Saturday. The Governor refused to intimate whether he might, in the mean time, commute the sentence of either or both. Cohen already has received four reprieves, and Ferrara, driver of the murder car, eleven.

Justice John F. McIntyre, of the Court of General Sessions, wrote to the Governor last Friday urging commutation of the sentence of Cohen to life imprisonment.

Supreme Court Justice Arthur S. Tompkins, who sentenced Cohen, wrote a letter to the Governor some time ago, opposing commutation of Cohen's sentence.

Bomb Found in Fountain

PARIS, Dec. 9.—An unexploded bomb, dropped by a German Gotha airplane during the war, was found yesterday in the basin of the Fontaine de la Medicis in the Luxembourg Gardens by workmen who were cleaning the basin.

Auto Truck Kills Man, 65

James Cateano, sixty-five years old, of 71 West Eighth Street, was run over and killed by a motor truck at Ninety-first Street and Columbus Avenue yesterday afternoon. The driver, Arthur Iganhold, of 931 Boston Road, was locked up in the West 100th Street police station, charged with homicide.

Jury's Demand for Papers Blocks City Work, Says Burr

Corporation Counsel Seeks Modification of All-Inclusive Subpoenas; Panel Asks Other Quarters

Corporation Counsel William P. Burr conferred yesterday with Raymond F. Almiral, foreman of the extraordinary grand jury, and Justice Bartow S. Weeks, who presides over the extraordinary term of the Supreme Court, concerning the subpoenas duces tecum issued the day before by the grand jury. These were served on Mayor Hylan, Commissioners Coler and Hirschfeld, Comptroller Craig and Mr. Burr and called for the production of all papers relating to transactions of the Department of Markets, under investigation by the grand jury.

Mr. Burr is said to have declared that to bring in all correspondence called for by the jury would tie up the city's business, since compliance with the subpoenas would entail an exhaustive search of city cabinets and files.

Mr. Burr was interested in ascertaining whether the subpoenas might not be modified and the grand jury specify exactly what records they wanted. Calls for documents handicapped the city's business, Mr. Burr contended, unless the jury could copy the original records it took and return copies or the originals to the city departments.

The jury was said to be considering a plan whereby all necessary records might be obtained without causing city departments embarrassment.

During the day Commissioner of Charities Coler, David Hirschfeld, Commissioner of Accounts, and Deputy Comptroller Hahlo appeared outside the jury room with small bundles of papers.

In connection with reports that the grand jury still believed that "leaks" on its secret deliberations were due to dictaphones on the fourth floor of the Criminal Courts Building, where the panel meets, it was said that representatives of the jury recently informed Justice Weeks that they were considering seeking quarters outside the building.

Justice Weeks is reported to have discouraged this plan.

"It is not suggested where the gentleman [Mr. Almiral, jury foreman] wants to move the grand jury's deliberations," said District Attorney Swann yesterday. "But I have no doubt that appropriate accommodations at 165 Broadway would be what he most desires."

The Broadway address is the building in which the Interborough Rapid Transit Company has its offices.

Definite determination of the status of George Gordon Battle, designated special counsel to the jury by District Attorney Swann, is expected to-day, when Mr. Battle will confer with Governor Smith. Mr. Battle is expected either to withdraw entirely or consent to the jury's proposal that he be associated with assistant counsel. Mr. Battle did not meet the Governor yesterday, as had been originally planned.

Governor's Mother Is Worse

Sudden Relapse of Mrs. Smith Brings Son to Bedside

Mrs. Catherine Smith, mother of the Governor, who has been ill at the home

of her daughter, 9 Middagh Street, Brooklyn, for several weeks, suffered an alarming relapse yesterday. Governor Smith, who had believed her convalescent, was summoned hastily to her bedside.

Dr. John H. Reb, her physician, said last night his patient had had a very bad day. He was in consultation last evening with Dr. Herman Biggs, State Health Officer, and Dr. R. Cole, bacteriologist of the Rockefeller Hospital.

College Students of U. S. To Vote on Peace Treaty

Canvass Under Way Is Expected To Be Completed by January 13

Editors of the college dailies of Yale, Harvard, Princeton and Columbia have launched a movement to discover the academic sentiment throughout the nation on the peace treaty. It is hoped that by January 13 the 700 colleges and universities will have voted yes or no on one of the following statements:

"I favor the ratification of the league and treaty without amendments or reservations."

"I am opposed to the ratification of the league and treaty in any form."

"I am in favor of the ratification of the treaty and the league, but only with the specific reservations as voted by a majority of the Senate."

"I favor any compromise on the reservations which will make possible immediate ratification of the treaty and the league."

The presidents of Yale, Harvard, Princeton and Columbia are to serve as an advisory committee in carrying through the project.

13 Hurt in Trolley Wreck

Jersey Motorman Overturns His Car in Fog

WESTFIELD, N. J., Dec. 9.—Unable to see the sharp curve because of the fog motorman Edward Wigel, of Elizabeth, drove a trolley car full speed at the crossing of Center and Spruce streets, Garwood, near here, to-night.

The car overturned. Wigel was killed almost instantly. Six of the twelve passengers and George Brown, conductor, suffered injuries, but none was seriously hurt.

The Federal Council of Churches

Mrs. Rockefeller Explains Y.W.C.A. Program for 1920

Organization Seeks \$3,000,000 to Carry Out Work in All Parts of World; Drive Ends in February

Reconstruction work will be carried on in all sections of the world next year by the Young Women's Christian Association, according to Mrs. John D. Rockefeller Jr., chairman of the national educational campaign committee of the 1920 world service program of that organization.

In appealing for the support of the nation in the work of the Y. W. C. A., Mrs. Rockefeller said yesterday:

"Since the war we are more than ever aware of the economic, industrial, educational, social and religious difficulties which beset the lives of girls and women everywhere. In meeting the post-war needs of women the Young Women's Christian Association stands as an instrument of service, tested and proved by war, and organized to meet the manifold problems of peace."

"Because of its fifty-odd years of experience in meeting fundamental problems affecting girls the Young Women's Christian Association is an organization particularly fitted to exert a stabilizing influence upon the troubled times through a consistent program of service for girls and women. American women are asking how they may share in the world's reconstruction. They can do so by enlisting the support of their communities for this world service program, which will insure to the world a healthier and better womanhood. This campaign of the Y. W. C. A. to tell the people of the United States about its work and to raise \$3,000,000 with which to carry on Y. W. C. A. work will close the week of February 22 to 23, which will be known as Y. W. C. A. week."

"The Federal Council of Churches

has set Sunday, February 29, as a time for ministers throughout the country to address their congregations on general conditions affecting women and the Young Women's Christian Association as an instrument of service."

"The immediate task is to bring to the people of the United States a knowledge of conditions affecting the lives of women in all parts of the world. We can no longer ignore the character, the manner of life and the ideals of other peoples, whether we want to or not."

"The world service program calls for \$4,500,000. Of this amount \$1,500,000 already has been obtained."

The educational campaign committee includes among its members Mrs. Robert E. Speer, president of the national board of the Y. W. C. A.; Mrs. Henry P. Davidson; Mrs. William Van V. Hayes; Mrs. Robert L. Dickinson; Mrs. William Adams Brown; Mrs. Van Sanford Merle-Smith; Mrs. Lewis H. Lapham; Miss Ellen Hale Stevenson; Mrs. Frederic B. Pratt and Mrs. Herbert Lee Pratt.

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